

H)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,248	12/30/2003	Dong-Wuk Choi	11038-136-999	8320

24341 7590 03/28/2007
 MORGAN, LEWIS & BOCKIUS, LLP.
 2 PALO ALTO SQUARE
 3000 EL CAMINO REAL
 PALO ALTO, CA 94306

EXAMINER

BOSWELL, CHRISTOPHER J

ART UNIT	PAPER NUMBER
----------	--------------

3676

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/749,248	Applicant(s) CHOI, DONG-WUK	
	Examiner Christopher Boswell	Art Unit 3676	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,685,581 to Kritzler et al.

Kritzler et al. disclose an outside door handle (2) for vehicles having a pivoting portion (6) integrally formed at an end of the door handle, pivotally inserted into a door handle rotating space (figure 1) formed at one end of a handle base and functions as a rotating center (rotates about pivot 5) of the door handle, the rotating center being an instantaneous rotating center moving on the surface of the pivoting portion when the door handle rotates between an open position and a closed position (as shown in figures 1-3 the rotating center is instantaneous as the door handle moves in a linear direction as well as a rotational direction), and a guide portion (14) formed at an opposite end of the door handle and inserted into a handle operating space (figure 1) formed at an opposite end of the handle base, wherein the pivoting portion is formed with a stopper (11) which protrudes toward the handle base in a vertical direction in relation to a rotating surface of the door handle, and the handle rotating space is formed with a stopper groove (13) into which the stopper is inserted, as in claim 1.

Kritzler et al. also disclose the stopper groove having a radial direction restricting portion (figures 6 and 7) for restricting movement of the stopper to a rotating direction of the door

Art Unit: 3676

handle, and a circumferential direction restricting portion (figures 6 and 7) for restricting movement of the stopper to a rotating direction of the door handle, as in claim 2, wherein two stoppers (figure 6) are disposed, each at an upper surface and a bottom surface of the pivoting portion (the stopper extends the entire width of the pivoting portion, from the upper surface to the bottom surface), as in claim 3.

Kritzler et al. further disclose a break-prevention structure of an outside door handle for vehicles, the structure comprising a handle base (1) having a door handle rotating space (left side of figure 1) at one end and a handle operating space (right side of figure 1) at an opposite end, and a door handle (2) having a pivoting portion (6) integrally formed at one end and a guide portion (14) formed at an opposite end, wherein the pivoting portion is configured and dimensioned as a rotating center (rotates about pivot 5) of the door handle when pivotally inserted into the handle rotating space, the rotating center being an instantaneous rotating center moving on the surface of the pivoting portion when the door handle rotates between an open position and a closed position (as shown in figures 1-3 the rotating center is instantaneous as the door handle moves in a linear direction as well as a rotational direction), as in claim 4.

Kritzler et al. additionally disclose the pivoting portion is formed with a stopper (11) that protrudes toward the handle base in a vertical direction in relation to a rotating surface of the door handle, and the handle rotating space being formed with a stopper groove (13) into which the stopper is inserted, as in claim 5, wherein the stopper groove comprises a radial direction restricting portion (figure 6 and 7) for restricting movement of the stopper to a rotating direction of the door handle and a circumferential direction restricting portion (figure 6 and 7) for

Art Unit: 3676

restricting movement of the stopper to a rotating direction of the door handle, as in claim 6, as well as two stoppers are disposed (figure 6), each at an upper surface and a bottom surface of the pivoting portion (the stopper extends the entire width of the pivoting portion, from the upper surface to the bottom surface), as in claim 7.

Response to Arguments

Applicant's arguments filed December 26, 2006 have been fully considered but they are not persuasive. Regarding the argument that Kritzler et al. do not disclose the rotating center being an instantaneous rotating center moving on the surface of the pivoting portion when the door handle rotates between an open position and a closed position, the examiner respectfully disagrees. As shown in figures 1, 2 and 3, Kritzler et al. allows the rotating center to be an instantaneous rotating center when the door handle is moved between an open position and a closed position, wherein the door handle moves in a linear direction, as well as the rotational direction rotating about the instantaneous rotating center, to allow for a greater force being applied to the door handle while not over exerting the actuation means.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

Art Unit: 3676


the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

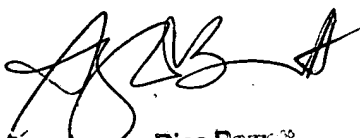
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (571) 272-7054. The examiner can normally be reached on 9:00 - 4:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on (571) 272-6843. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher Boswell
Examiner
Art Unit 3676

CJB 
March 21, 2007


Suzanne Dino Barrot
Primary Examiner